

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

EDWARD WHITEHEAD,)
)
Plaintiff,)
)
vs.) Case No. 4:07CV00049AGF
)
)
JANITRON MAINTENANCE)
MANAGEMENT SERVICES, INC.)
)
Defendant.)

MEMORANDUM AND ORDER

Since the Court¹ entered its last Order on April 27, 2007 [Doc. #14] denying Plaintiff's motion for appointment of counsel and granting in part and denying in part Defendant's motion to dismiss, the Court has received a letter from Plaintiff dated April 26, 2007 in which Plaintiff again seeks appointment of counsel. The Court reiterates that there is no constitutional or statutory right to the appointment of counsel in a civil case. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). As stated previously, the Court has considered the factual complexity of the case, the ability of Plaintiff to investigate the facts, the potential existence of conflicting testimony, the ability of Plaintiff to present his claim, and the complexity of the legal issues involved in this case, see Johnson v. Williams, 788 F.2d 1319, 1323 (8th Cir. 1986), and has

¹ The parties have consented to the exercise of authority by the undersigned United States Magistrate Judge under 28 U.S.C. § 636(c).

concluded that appointment of counsel is not warranted at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Second Motion for Appointment of Counsel is **DENIED** without prejudice.

Audrey G. Fleissig
AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 8th day of May, 2007.